



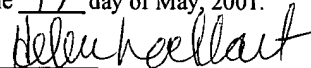
ATTORNEY'S DOCKET NO. C1102/7002(HCL)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Newell et al.
Serial No: 09/823,886
Filed: March 30, 2001
For: COMPOSITIONS AND METHODS FOR REGULATING METABOLISM IN PLANTS
Examiner: Unassigned
Art Unit: Unknown

CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, Washington, D.C. 20231, on the 17 day of May, 2001.


Helen C. Lockhart

COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

Sir:

Transmitted herewith is/are the following document(s):

- ☒ Information Disclosure Statement
- ☒ Form PTO 1449 with Cited References
- ☒ Certificate of Mailing
- ☒ Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 720-3500, Boston, Massachusetts.

No check is enclosed. If a fee is required, the balance may be charged to the account of the undersigned, Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully Submitted,



Helen C. Lockhart
Reg. No. 39,248
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Docket No. C1102/7002(HCL)
Date: May 17 2001
X06/30/01



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Helen C. Lockhart

Commissioner for Patents
Washington, D.C. 20231

STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed within three months of the filing date of a National Application.

No fee or certification is required.

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

The following are remarks concerning the other information cited:

PART III: Remarks

Documents cited on the attached form PTO-1449 (modified) are enclosed unless otherwise indicated on the attached form PTO-1449 (modified). It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

Serial No.: 09/823,886

- 3 -

An early and favorable action is hereby requested.

Respectfully submitted,
Newell et al., Applicant(s)

By: _____



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Telephone (617) 720-3500

Docket No. C1102/7002(HCL)

Dated: May 17 2001

x06/30/01



FORM PTO-1449/A and B (Modified) INFORMATION DISCLOSURE STATEMENT BY APPLICANT				APPLICATION NO.: 09/823,886		ATTY. DOCKET NO.: C1102/7002	
				FILING DATE: March 30, 2001			
				APPLICANT: Newell et al.			
				GROUP ART UNIT: Unknown		EXAMINER: Unassigned	
Sheet	1	of	2				

U.S. PATENT DOCUMENTS


Examiner's Initials#	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
	A1	5,477,002	B1	Tuttle et al.	12/19/1995
	A2	5,585,363	B1	Scanlon et al.	12/17/1996
	A3	5,646,333	B1	Dobres et al.	07/08/1997
	A4	5,808,034	B1	Bridges et al.	09/15/1998
	A5	6,005,167	B1	Van Tunen et al.	12/21/1999
	A6	6,166,291	B1	Bidney et al.	12/26/2000
	A7	6,172,279	B1	Bridges et al.	01/09/2001
	A8	6,184,440	B1	Shoseyov et al.	02/06/2001
	A9	6,197,588	B1	Gray et al.	03/06/2001
	A10	6,204,373	B1	Gasser et al.	03/20/2001
	A11	6,204,436	B1	Mannerloef et al.	03/20/2001
	A12	6,204,437	B1	Grierson et al.	03/20/2001

FOREIGN PATENT DOCUMENTS

Examiner's Initials#	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			
	B1	WO	90/08831	A1	Imperial Chemical Industries PLC	08/09/1990	
	B2	WO	98/31396	A1	Duke University et al.	07/23/1998	
	B3	WO	98/45313	A1	Amylin Pharmaceuticals, Inc.	10/15/1998	
	B4	WO	98/45438	A1	Beth Israel Deaconess Medical Center	10/15/1998	
	B5	WO	00/47617	A1	Lexicon Genetics Incorporated	08/17/2000	

OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials#	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)	
	C1	ARSENIJEVIC, D. et al., "Disruption of the uncoupling protein-2 gene in mice reveals a role in immunity and reactive oxygen species production", <i>Nature Genetics</i> , December 2000, Pages 435-439, Vol. 26, No. 4		
	C2	DANE, S. et al., "Sustained oscillations in living cells", <i>Nature</i> , November 18, 1999, Pages 320-322, Vol. 402		
	C3	FLEURY, C. et al., "Uncoupling protein-2: a novel gene linked to obesity and hyperinsulinemia", <i>Nature Genetics</i> , March 1997, Pages 269-272, Vol. 15		
	C4	GOLSHANI-HEBRONI, S.G. et al., "Hexokinase Binding to Mitochondria: A Basis for Proliferative Energy Metabolism", <i>Journal of Bioenergetics and Biomembranes</i> , 1997, Pages 331-338, Vol. 29, No. 4, Plenum Publishing Corporation		
	C5	GONZALEZ-BARROSO, M.M. et al., "The Uncoupling Protein UCPI Does Not Increase the Proton Conductance of the Inner Mitochondrial Membrane by Functioning as a Fatty Acid Anion Transporter", <i>The Journal of Biological Chemistry</i> , June 19, 1998, Pages 15528-15532, Vol. 273, No. 25, The American Society for Biochemistry and Molecular Biology, Inc.		
	C6	GRAY, M.W. et al., "Mitochondria Review Mitochondrial Evolution", <i>Science</i> , March 5, 1999, Pages 1476-1481, Vol. 283		



C7	GREINER, E.F. et al., "Glucose is Essential for Proliferation and the Glycolytic Enzyme Induction That Provokes a Transition to Glycolytic Energy Production", <i>The Journal of Biological Chemistry</i> , December 16, 1994, Pages 31484-31490, Vol. 269, No. 50, The American Society for Biochemistry and Molecular Biology, Inc.		
C8	HARRIS, E.H., "The Chlamydomonas Sourcebook: A Comprehensive Guide to Biology and Laboratory Use", 1989, Pages 225-227, Academic Press, Inc.		
C9	HATEFI, Y. et al., "Nicotinamide nucleotide transhydrogenase: a model for utilization of substrate binding energy for proton translocation", <i>The FASEB Journal</i> , March 1996, Pages 444,452, Vol. 10		
C10	HERMESH, O. et al., "Mitochondria Uncoupling by a Long Chain Fatty Acyl Analogue", <i>The Journal of Biological Chemistry</i> , February 1998, Pages 3937-3942, Vol. 273, No. 7, The American Society for Biochemistry and Molecular Biology, Inc.		
C11	HESS, B. et al., "Cooperation of Glycolytic Enzymes", <i>Adv. Enzyme Regul.</i> , 1969, Pages 149-167, Vol. 7		
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C13	JEZEK, P. et al., "Fatty acid cycling mechanism and mitochondrial uncoupling proteins", <i>Biochimica et Biophysica Acta.</i> , 1998, Pages 319-327, Vol. 1365, Elsevier Science B.V.		
C14	KORSCHUNOV, S.S. et al., "Fatty acids as natural uncouplers preventing generation of O ₂ ⁻ and H ₂ O ₂ by mitochondria in the resting state", <i>FEBS Letters</i> 20835, 1998, Pages 215-218, Vol. 435, Federation of European Biochemical Societies		
C15	LARROUY, D. et al., "Kupffer Cells are a Dominant Site of Uncoupling Protein 2 Expression in Rat Liver", <i>Biochemical and Biophysical Research Communications</i> , 1997, Pages 760-764, Vol. 235, Academic Press		
C16	LUFT, R. et al., "Frontiers in Medicine Mitochondrial medicine", <i>Journal of Internal Medicine</i> , 1995, Pages 405-421, Vol. 238, Blackwell Science Ltd.		
C17	MAIA, I.G. et al., " <i>AtPUMP</i> : an <i>Arabidopsis</i> gene encoding a plant uncoupling mitochondrial protein", <i>FEBS Letters</i> 20398, 1998, Pages 403-406, Vol. 429, Federation of European Biochemical Societies		
C18	NEGRE-SALVAYRE, A. et al., "A role for uncoupling protein-2 as a regulator of mitochondrial hydrogen peroxide generation", <i>The FASEB Journal</i> , August 1997, Pages 809-815, Vol. 11		
C19	PECQUEUR, C. et al., "Uncoupling Protein 2: <i>in vivo</i> distribution, induction upon oxidative stress and evidence for translational regulation", <i>JBC Papers in Press Manuscript M006938200</i> , November 29, 2000, Pages 1-41, The American Society for Biochemistry and Molecular Biology, Inc.		
C20	"The Molecular Biology of Chloroplasts and Mitochondria in Chlamydomonas", Edited by J.D. Rochaix, M. Goldschmidt-Clermont and S. Merchant, 1998, Pages 665-667 and 42-47, Kluwer Academic Publishers		
C21	SARASTE, M. "Mitochondria Review Oxidative Phosphorylation at the <i>fin de siecle</i> ", <i>Science</i> , March 5, 1999, Pages 1488-1493, Vol. 283		
C22	SATOH, K. et al., "Changes in Mitochondrial Membrane Potential During Oxidative Stress-Induced Apoptosis in PC12 Cells", <i>Journal of Neuroscience Research</i> , 1997, Pages 413-420, Vol. 50, Wiley-Liss, Inc.		
C23	SEYMOUR, R.S. et al, "Scientific Correspondence Thermoregulating lotus flowers", <i>Nature</i> , September 26, 1996, Page 305, Vol. 383		
C24	TEZARA, W. et al., "Water stress inhibits plant photosynthesis by decreasing coupling factor and ATP", <i>Nature</i> , October 28, 1999, Pages 914-917, Vol. 401, Macmillan Magazines Ltd.		
C25	VIDAL-PUIG, A.J., "Uncoupling expectations", <i>Nature Genetics</i> , December 2000, Pages 387-388, Vol. 26, No. 4		
C26	WALLACE, D.C., "Mitochondria Review Mitochondrial Diseases in Man and Mouse", <i>Science</i> , March 5, 1999, Pages 1482-1488, Vol. 283		
C27	WILKINS, S. et al., "ATP synthase's second stalk comes into focus", <i>Nature</i> , May 7, 1998, Page 29, Vol. 393		
C28	YAFFE, M.P., "Mitochondria Review The Machinery of Mitochondrial Inheritance and Behavior", <i>Science</i> , March 5, 1999, Pages 1493-1497, Vol. 283		

EXAMINER	DATE CONSIDERED
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#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. _____, filed _____, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).